

STONE MAGNANINI

COMPLEX LITIGATION

November 18, 2024

VIA CM/ECF and EMAIL

Hon. Michael A. Hammer
Martin Luther King Building
and U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

Re: United States v. Jobadiah Weeks (19-cr-877-CCC)
Motion for return of third party passports

Your Honor:

Please accept this letter in lieu of a more formal motion. We represent Defendant Jobadiah Weeks in the above captioned matter and Mr. Weeks has directed us to write to you today in order to assist Ms. Stephanie Stolba, who is not our client, but who has nonetheless reached out to request our assistance with the return of her passports. As discussed in more detail below, Ms. Stolba, through various means, has been requesting the return of her and her daughter's passports since September of this year but they have still not been returned to her. Accordingly, we are submitting this letter motion to authorize and encourage their return. We do not believe that the Government or Pretrial Services objects to this motion. Indeed, Pretrial Services suggested to us that we submit a motion for an order from the Court, and informed us that a court order is required for Pretrial Services to release the passports.

The facts that led to this application are as follows. Ms. Stolba was appointed a third party custodian for Mr. Weeks on November 6, 2020, as a condition of Mr. Weeks' pretrial release. Ms. Stolba and her minor daughter (Liberty Weeks) were also ordered on that day to surrender their passports and to not to apply for new travel documents. [DKT. 153]. Ms. Stolba promptly surrendered the two passports to Pretrial Services as required. At the time, Ms. Stolba and Mr. Weeks were in a common law marriage. However, over the next several years, the relationship broke down, in part, as a result of Mr. Weeks' legal circumstances. On October 31, 2023, this Court issued an order removing Ms. Stolba as a custodian because she had become ill and because she was getting medical treatments out of state. [DKT. 309]. At some point after October 2023, Mr. Weeks and Ms. Stolba decided to separate, in anticipation of a final divorce which has been on hold because of Mr. Weeks' legal circumstances, and they no longer live together.

In or around mid-September 2024, we were informed directly by Ms. Stolba that she had previously spoken with a Pretrial Services officer assigned to Mr. Weeks' case about having the

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two passports returned to her. Ms. Stolba explained to the Pretrial Services officer that she has a service mission/charitable trip out of the United States planned in the first week of December 2024. Ms. Stolba had no success through that channel and she reached out directly to us to see if we could assist in getting the passports returned. On September 25, 2024, we asked the Government if they could assist with having the passports returned, explaining that Ms. Stolba was no longer Mr. Weeks' third party custodian, that she did not live with Mr. Weeks, and that she had been separated from Mr. Weeks for some time. The Government represented that it would attempt to find out who had the passports in order to effectuate their return.

We renewed our request for the return of the passports on November 14, 2024, and the Government explained to us that the passports were in the possession of Pretrial Services. On that same day we were informed for the first time by Pretrial Services Officer David Hernandez that a court order would be required for the passports to be released. Accordingly, we are submitting this letter motion.

We believe that, in light of the above, neither the Court/Pretrial Services nor the Government have an interest in retaining these particular passports. Ms. Stolba is no longer living with Mr. Weeks, they are no longer involved with each other (except as it relates to co-parenting), and Ms. Stolba is no longer a third party custodian to Mr. Weeks. In short, Ms. Stolba no longer has any connection to this case at all. For all of those reasons, we respectfully request that Pretrial Services be ordered to promptly return the passports for Stephanie Stolba and Liberty Weeks so that they are able to carry out the charity work that they intend to do. Should the Court like to hear directly from Ms. Stolba we can arrange for her to appear before Your Honor virtually (e.g., by MS Teams or Zoom), as she currently resides in Colorado.

By way of this letter, if the Court agrees with this motion, we respectfully request that the Court grant an order directing Pretrial Services to return the two passports within seven (7) days of the entry of the order, in order to provide sufficient time for Ms. Stolba to arrange for her charitable mission.

Respectfully submitted,

/s/ David Stone
David S. Stone

cc: AUSA Anthony Torntore (*via CM/ECF and email*)
David Hernandez (*via email only*)